

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

The Prudential Insurance
Company of America,

Case No. 18-cv-3189 (DSD/ECW)

Plaintiff,

v.

ORDER

J.B., a minor; Z.B., a minor; and Annie L. Davis, solely in her capacity as guardian of J.B. and Z.B.,

Defendants.

The Court held an initial pretrial conference in this interpleader action involving a life insurance policy on April 30, 2019. In the parties' Rule 26(f) report, Plaintiff The Prudential Insurance Company of America ("Prudential") stated its intent to add the insured's spouse, Marilyn Davis, as a defendant and putative beneficiary and to file a motion for appointment of a guardian ad litem for minor defendant Z.B. (Dkt. No. 16 at 2.) Prudential has since filed its Amended Interpleader Complaint (Dkt. No. 20) and a summons issued on April 29, 2019 (Dkt. No. 21). In the Amended Interpleader Complaint, Prudential alleges that the insured designated J.B. and Z.B. as co-equal primary beneficiaries under the policy, that the insured's death was ruled a homicide, and that criminal charges are pending against Z.B. with regard to the insured's death. (Dkt. No. 21 ¶¶ 11-12, 18.) Prudential also alleges that Minn. Stat. § 524.2-803 may disqualify Z.B. from receiving Z.B.'s share of the death benefit and that J.B. and/or Davis may be entitled to that share. (*Id.* ¶¶ 19-20, 22-23.) Rather than enter a pretrial scheduling order

at this time, the Court will set a status call for June 6, 2019 at 10:00 a.m. to hear the parties' proposal as to the case schedule and discovery limitations in view of the Amended Interpleader Complaint and anticipated filings.

Accordingly, based on the files, records, and proceedings herein, **IT IS ORDERED THAT:**

1. J.B. shall file on CM/ECF a letter updating the Court as to the status of the criminal case against Z.B. on or before **May 10, 2019**.
2. The Court will hold a status call regarding the case and the parties' proposed schedule and discovery limitations in view of the Amended Interpleader Complaint and any subsequent developments on June 6, 2019 at 10:00 a.m. Dial-in information for the status call will be circulated by the undersigned's chambers before the call.

Date: April 30, 2019

s/Elizabeth Cowan Wright
ELIZABETH COWAN WRIGHT
United States Magistrate Judge